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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|----------------------------|------------------------|
| 10/727,135 | 12/02/2003 | Mark Allen Freskos | 50325-0845 (Seq. No. 8504) | 5336 |
| 29989 7590 11/28/2007 HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110 | | | EXAMINER SHIN, KYUNG H | |
| | | | ART UNIT 2143 | PAPER NUMBER |
| | | | MAIL DATE 11/28/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/727,135 | Applicant(s) FRESKOS, MARK ALLEN | |
| | Examiner Kyung H. Shin | Art Unit 2143 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responding to application filed 12/2/2003.
2. Claims 1 - 20 are pending. Claims 1, 4, 5, 6, 9, 10, 11, 14, 15, 16, 19, 20 have been amended. Independent claims are 1, 4, 5, 6, 9, 10, 11, 14, 15, 16, 19, 20.

Responses to Remarks

3. **Applicant's arguments filed 9/19/2007 have been fully considered and are not persuasive.**

3.1 Applicant argues that the reference prior art does not disclose, "confirmation that updated management data have been implemented by the router" in response to a "request to commit changes". (see Remarks Page 14)

Shafer discloses a confirmation response that updated management data (configuration change) has been implemented by the router. (see Shafer col. 11, lines 35-37: configuration change command completion confirmation)

3.2 Applicant argues that the reference prior art does not disclose, ""that the update management data was updated and stored at the router without being implemented"". (see Remarks Page 15)

Shafer disclose that unimplemented (uncommitted) modifications are stored at the router. (see Shafer col. 10, lines 29-34: uncommitted (unimplemented changes stored and accessible)

3.3 Applicant argues, rejection dependent claims. (see Remarks Page 16)

Arguments for dependent claims are based upon above arguments for indicated independent claims 1, 4, 5. The successful responses to arguments for indicated independent claims 1, 4, 5, also successfully respond to the current arguments against the dependent claims 2, 3, 7, 8, 12, 13, 17 and 18.

3.4 The examiner has considered the applicant's remarks concerning an end-to-end approach that provides for developing and maintaining network device management applications. The approach includes an XML-based development environment for network device management applications that uses Management Data API (MDA) schemas that define a hierarchical data model for components supported by a network device. The approach includes mechanisms for automatically generating XML requests that conform to a hierarchical data model from requests that conform to a table-based data model. The approach also includes mechanisms for automatically extracting data from XML replies and conforming to the table-based data model.

After an additional analysis of the applicant's invention, remarks, and a search of the available prior art, it was determined that the current set of prior art consisting of Shafer (7,072,946) discloses the applicant's invention including disclosures in Remarks dated September 19, 2007.

Claim Rejection - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1 - 20** are rejected under 35 U.S.C. 102(e) as being anticipated by **Shafer et al.** (US Patent No. **7,072,946**).

Regarding Claims 1, 6, 11, 16, Shafer discloses a method, machine readable medium, apparatus for processing XML requests on a router, the method comprising the machine implemented steps of

- a) receiving, at a router from a client, an XML request to perform an operation on management data maintained in a database by the router; (see Shafer col. 1, lines 49-55; col. 2, lines 10-13: management request received at router, XML formatted request)
- b) parsing the XML request to identify one or more XML elements contained in the XML request; (see Shafer col. 2, lines 15-23: parse XML request)
- c) generating one or more data requests based upon the one or more XML elements contained in the XML request; (see Shafer col. 2, lines 59-65: convert request to device command) and

- d) processing the one or more data requests against the management data maintained in the database by the router. (see Shafer col. 2, lines 5-9; col. 2, lines 25-28: process request based on XML request)
- e) storing updated management data at the router without implementing the updated management data, (see Shafer col. 10, lines 29-34: uncommitted (unimplemented) changes stored and accessible; col. 2, lines 21-34; col. 6, lines 24-27: software, implementation means, computer readable media)
- f) wherein the one or more data requests comprise a request for a confirmation that updated management data have been implemented by the router in response to a request to commit changes to the management data on the router. (see Shafer col. 11, lines 35-37: configuration change command completion confirmation; col. 2, lines 21-34; col. 6, lines 24-27: software, implementation means, computer readable media)

Regarding Claims 2, 7, 12, Shafer discloses the method, machine-readable medium, apparatus as recited in Claim 1, wherein the step of

- a) parsing the XML request to identify one or more XML elements contained in the XML request includes identifying one or more XML tags contained in the XML request (see Shafer col. 2, lines 21-23; col. 2, lines 59-65: parse XML request, utilize XML tags) and the step of
- b) generating the one or more data requests based upon the one or more XML elements contained in the XML request includes generating the one or more data

requests based upon the one or more XML tags contained in the XML request.

(see Shafer col. 2, lines 15-20: generate based on XML tags)

Regarding Claims 3, 13, Shafer discloses the method, apparatus as recited in Claim 1, further comprising the machine implemented step of generating an XML response based upon processing the one or more data requests against the management data maintained in the database by the router. (see Shafer col. 1, lines 49-55; col. 3, lines 58-66: response replies received in XML format)

Regarding Claims 4, 9, 14, 19, Shafer discloses a method, machine-readable medium, apparatus for processing XML requests on a router, the method comprising the machine implemented steps of:

- a) receiving, at a router from a client, an XML request to perform an operation on management data maintained in a database by the router; (see Shafer col. 2, lines 21-28; col. 2, line 30-34: XML request, management information in database)
- b) parsing the XML request to identify one or more XML tags contained in the XML request; (see Shafer col. 2, lines 15-20; col. 2, lines 21-23: parse XML message)
- c) identifying one or more management data items in the management data that are associated with the one or more XML tags; (see Shafer col. 2, lines 15-20: identify information associated with XML tags)

- d) generating one or more operations to be performed on the one or more management data items, wherein a first operation includes receiving updated management data from the client, and wherein a second operation includes implementing the updated management data on the router in response to a request to commit changes to the management data on the router; (see Shafer col. 2, lines 59-65: convert to device command; col. 10, lines 29-34: uncommitted (unimplemented) changes processed, stored and are accessible; col. 11, lines 35-37: configuration change command completion confirmation); col. 2, lines 21-34; col. 6, lines 24-27: software, implementation means, computer readable media)
- e) processing the one or more operations against the one or more management data items maintained in the database; (see Shafer col. 2, lines 21-28; col. 2, lines 30-34: process requested operation based on associated data in database) and
- f) generating an XML response and sending the XML response to the client, wherein the XML response contains a confirmation that the first operation and the second operation occurred. (see Shafer col. 3, lines 58-66; col. 2, lines 21-23: request processed, XML response generated; col. 11, lines 35-37: configuration change command completion confirmation; col. 2, lines 21-34; col. 6, lines 24-27: software, implementation means, computer readable media)

Regarding Claims 5, 10, 15, 20, Shafer discloses a method, machine-readable medium, apparatus for generating schema data used by a router to process XML requests, the method comprising the machine implemented steps of

- a) receiving schema definition data that defines both a hierarchical data model used by the router and an XML interface used by client to generate XML requests for the router; (see Shafer col. 3, lines 20-29: schema definition information utilized for XML request/response interface)

wherein the XML request comprises at least one of:

- b) a request to perform one or more operations on management data maintained in a database by the router, wherein a first operation includes receiving updated management data from the client, and wherein a second operation includes implementing the updated management data on the router; (see Shafer col. 10, lines 29-34: uncommitted (unimplemented) changes processed, stored and are accessible; col. 2, lines 21-34; col. 6, lines 24-27: software, implementation means, computer readable media) and
- c) a data request, wherein the data request comprises a request for a confirmation that updated management data has been implemented by the router in response to a request to commit changes to management data on the router; (see Shafer col. 11, lines 35-37: configuration change command completion confirmation; col. 2, lines 21-34; col. 6, lines 24-27: software, implementation means, computer readable media)

- d) processing the schema definition data to generate processed schema definition data; (see Shafer col. 3, lines 41-44: process data utilizing schema information) and
- e) storing the processed schema definition data on the router. (see Shafer col. 3, lines 25-29; col. 8, lines 30-32: router database, configuration information storage)

Regarding Claim 8, Shafer discloses the machine readable medium as recited in Claim 6, further comprising one or more additional instructions which, when executed by the one or more processors, cause the one or more processors to perform the step of generating an XML response based upon processing the one or more data requests against the management data maintained in the database by the router. (see Shafer col. 6, lines 24-27: processor(s); col. 3, lines 58-66: request processed, XML response generated)

Regarding Claim 17, Shafer discloses the apparatus as recited in Claim 16, further comprising means for identifying one or more XML tags contained in the XML request and means for generating the one or more data requests based upon the one or more XML tags contained in the XML request. (see Shafer col. 2, lines 15-20: XML tags utilized to parse request and generate commands)

Regarding Claim 18, Shafer discloses the apparatus as recited in Claim 16, further comprising means for generating an XML response based upon processing the one or more data requests against the management data maintained in the database by the router. (see Shafer col. 3, lines 41-44; col. 3, lines 58-66: XML response generated)

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H. Shin whose telephone number is (571) 272-3920. The examiner can normally be reached on 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number

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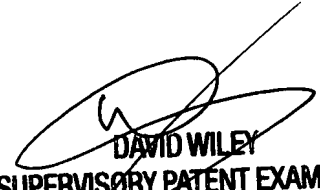
for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

K H S

Kyung H Shin
Patent Examiner
Art Unit 2143

KHS
November 15, 2007


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